

## **REMARKS**

Upon entry of the present amendment, claims 1-30 will remain pending in this application. Applicants respectfully submit that no new matter is added by the present amendment.

In the January 8, 2007 Office Action, claims 6 and 21 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 16-30 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1-30 are subject to a provisional nonstatutory double patenting rejection. Claims 1-30 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 7,103,574 ("Peinado"). Applicants respectfully traverse the rejections.

### ***Interview Summary***

Applicants' undersigned representative, Mr. Eiferman, and Examiner Brandon Hoffman participated in a telephonic interview on March 6, 2007 to rejection of claims 1-30 under 35 U.S.C. § 102(e). During the interview, Mr. Eiferman presented the arguments and amendments included herein, and Examiner Hoffman stated that these arguments and amendments appeared to sufficiently distinguish claims 1-30 from Peinado so as to overcome the pending 35 U.S.C. § 102(e) rejections.

### ***Specification***

The Specification is hereby amended to update information regarding related applications.

### ***Claim Rejections Under 35 U.S.C. § 112***

Claims 6 and 21 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Office Action states that claims the terms "the attachment portion" in these claims 6 and 21 lacks antecedent basis. These terms are hereby removed from claims 6 and 21. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 112 rejections are respectfully requested.

***Claim Rejections Under 35 U.S.C. § 101***

Claims 16-30 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In particular, the Office Action alleges that independent claims 16 and 26 may pertain to information embodied on a signal or carrier wave. Applicants respectfully traverse and submit that independent claims 16 and 26 are hereby amended to recite tangible storage mediums. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 101 rejections are respectfully requested.

***Double Patenting Rejection***

Claims 1-30 are subject to a provisional nonstatutory double patenting rejection over claims 1-22 of copending United States Patent Application No. 10/607,898. Applicants reserve the right to file a terminal disclaimer if and when copending United States Patent Application No. 10/607,898 is determined to be in condition to issue as a patent.

***Claim Rejections Under 35 U.S.C. § 102(e)***

Claims 1-30 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 7,103,574 ("Peinado"). Applicants respectfully traverse.

Independent claims 1, 11, 16 and 26 recite a document comprising a storage portion having a message that the document is rights protected.

Peinado discloses that a document including meta-data that specifies an application for rendering digital content within the document. Peinado further discloses that the application examines the digital content to determine whether or not the digital content is rights protected (Col. 14, ll. 26-29).

Accordingly, Peinado does not teach or suggest "a storage portion having a message that the document is rights management protected," as recited in independent claims 1, 11, 16 and 26. Thus, Applicants respectfully submit that independent claims 1, 11, 16 and 26 are not anticipated by Peinado. Applicants further submit that claims 2-10, 12-15, 17-25 and 27-30 are patentable at least be reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejections are respectfully requested.

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**PATENT**

**CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application is respectfully requested.

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